IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

Crl.Rev.Pet.No. 108 of 2000()

CMP.2680/1998 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, ATTINGAL
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REVN. PETITIONER: COMPLAINANT

SHAHINA, D/O. SHAJITHA BEEVI,
SALIM MANZIL, PERUMKULAM,
PALAMKONAM MANAMPOOR VILLAGE,
(POWER OF ATTORNEY HOLDER),
SALIM, S/O. MOHAMMED ALI, DO. DO.

BY ADV. SRI.S.GOPAKUMARAN NAIR

RESPONDENTS: ACCUSED & STATE
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1. **K.VARKEY JACOB, GRACE BHAVAN,**
   SECTION 20 BK 903/8 ULLAS NAGAR,
   THANE DISTRICT, MAHARASHTRA.

2. **STATE, REP.BY THE PUBLIC PROSECUTOR,**
   HIGH COURT OF KERALA , ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 11/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO. 108 OF 2000

DATED THIS THE 11th SEPTEMBER 2007

ORDER

The revision petitioner is the complainant who had initiated proceedings under Sections 138 of the Negotiable Instruments Act and Section 420 I.P.C. The court below dismissed the complaint at the threshold itself on the ground that the court is not having jurisdiction. It is submitted that the cheque was presented in the Bank within the jurisdiction of the court. This aspect was not considered. Any way, I find that the mater can be considered after appearance of the accused. The order of the court below is set aside. The court below is directed to permit the petitioner to further pursue the mater. The petitioner shall appear before the court below on 15-10-2007. The Crl.revison petiiton is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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K.R.UDAYABHANU, J

CRL.R.P. NO. 108 of 2000
ORDER

11-9-2007